

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

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EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,

Plaintiff,

-against-

EVERDRY MARKETING AND  
MANAGEMENT, INC.,

and

EVERDRY MANAGEMENT SERVICES, INC.,  
a/k/a EVERDRY WATERPROOFING and  
EVERDRY OF ROCHESTER,

Defendants.  
-----X

**Civil Action No. 01-CV-6329  
(CJS)(MWP)**

**PLAINTIFF'S DEMAND FOR SATISFACTION OF JUDGMENT TO  
DEFENDANT EVERDRY MANAGEMENT & MARKETING, INC.**

Plaintiff EEOC hereby demands that Defendant Everdry Management & Marketing, Inc. ("EMM") satisfy the final Amended Judgment (Docket # 260) entered against it in this case on July 2, 2008 within fourteen (14) days of this Demand by paying \$523,096.00 plus post-judgment interest in the amount of \$96,137.90, calculated pursuant to 28 U.S.C. § 1961, to the claimants identified in the final Amended Judgment, in accordance with the specific claimant awards as set forth below. EMM shall issue and mail by certified mail to each claimant a check made payable to the order of such claimant to the addresses provided to EMM counsel under separate cover. EMM shall provide a copy of each check to the EEOC upon issuance.

**\$60,782.69** payable to Stephanie DiStasio;  
(Representing a total award of \$51,346.00 plus post-judgment interest through April 20, 2010 of \$9,436.69)

**\$59,189.32** payable to Lorraine Backus;  
(Representing a total award of \$50,000.00 plus post-judgment interest through April 20, 2010 of \$9,189.32)

**\$58,301.48** payable to Jessica Buckner;

(Representing a total award of \$49,250.00 plus post-judgment interest through April 20, 2010 of \$9,051.48)

**\$50,310.92** payable to Melanie Buckner;

(Representing a total award of \$42,500.00 plus post-judgment interest through April 20, 2010 of \$7,810.92)

**\$34,329.80** payable to Catherine Clauss;

(Representing a total award of \$29,000.00 plus post-judgment interest through April 20, 2010 of \$5,329.80)

**\$50,310.92** payable to Lill Cocilova;

(Representing a total award of \$42,500.00 plus post-judgment interest through April 20, 2010 of \$7,810.92)

**\$50,310.92** payable to Danielle Tinkelman (Doty);

(Representing a total award of \$42,500.00 plus post-judgment interest through April 20, 2010 of \$7,810.92)

**\$44,983.88** payable to Nancy Hoffmeier;

(Representing a total award of \$38,000.00 plus post-judgment interest through April 20, 2010 of \$6,983.88)

**\$34,329.80** payable to Ashley Houghton;

(Representing a total award of \$29,000.00 plus post-judgment interest through April 20, 2010 of \$5,329.80)

**\$29,002.77** payable to Kyley O'Brien;

(Representing a total award of \$24,500.00 plus post-judgment interest through April 20, 2010 of \$4,502.77)

**\$29,002.77** payable to Meghann Powell;

(Representing a total award of \$24,500.00 plus post-judgment interest through April 20, 2010 of \$4,502.77)

**\$59,189.32** payable to Anna Stevenson;

(Representing a total award of \$50,000.00 plus post-judgment interest through April 20, 2010 of \$9,189.32)

**\$59,189.32** payable to Jennifer Zazzaro.

(Representing a total award of \$50,000.00 plus post-judgment interest through April 20, 2010 of \$9,189.32)

Plaintiff EEOC further demands that EMM satisfy the costs set forth in the Bill of Costs approved and filed by the Clerk on December 4, 2006 (Docket # 213) by sending a check payable to EEOC in the amount of \$10,476.45 within fourteen (14) days of this Demand,

representing costs of \$8,849.95 plus post-judgment interest in the amount of \$1,626.50, calculated through April 20, 2010 pursuant to 28 U.S.C. § 1961.

Should EMM object to any amounts set forth herein, EEOC demands such objection(s) be detailed in writing and served within fourteen (14) days and that Defendant pay those portions of the judgment to which it does not object within fourteen (14) days. Specifically, should EMM object to the inclusion of the punitive damages assessed against Everdry Management Services, Inc., EMM shall at minimum, in addition to setting forth the objections in writing, satisfy the final Amended Judgment within fourteen (14) days of this Demand by paying \$471,096.00 plus post-judgment interest in the amount of \$86,581.01, calculated pursuant to 28 U.S.C. § 1961, to the claimants identified in the final Amended Judgment, in accordance with the specific claimant awards as set forth below. EMM shall issue and mail by certified mail to each claimant a check made payable to the order of such claimant to the addresses provided to EMM counsel under separate cover. EMM shall provide a copy of each check to the EEOC upon issuance.

**\$56,047.55** payable to Stephanie DiStasio;  
(Representing the total award minus \$4,000 of EMS' portion of punitive damages plus post-judgment interest through April 20, 2010 of \$8,701.55)

**\$54,454.17** payable to Lorraine Backus;  
(Representing the total award minus \$4,000 of EMS' portion of punitive damages plus post-judgment interest through April 20, 2010 of \$8,454.17)

**\$53,566.33** payable to Jessica Buckner;  
(Representing the total award minus \$4,000 of EMS' portion of punitive damages plus post-judgment interest through April 20, 2010 of \$8,316.33)

**\$45,575.77** payable to Melanie Buckner;  
(Representing the total award minus \$4,000 of EMS' portion of punitive damages plus post-judgment interest through April 20, 2010 of \$7,075.77)

**\$29,594.66** payable to Catherine Clauss;  
(Representing the total award minus \$4,000 of EMS' portion of punitive damages plus post-judgment interest through April 20, 2010 of \$4,954.66)

**\$45,575.77** payable to Lill Cocilova;  
(Representing the total award minus \$4,000 of EMS' portion of punitive damages

plus post-judgment interest through April 20, 2010 of \$7,075.77)

**\$45,575.77** payable to Danielle Tinkelman (Doty);  
(Representing the total award minus \$4,000 of EMS' portion of punitive damages plus post-judgment interest through April 20, 2010 of \$7,075.77)

**\$40,248.74** payable to Nancy Hoffmeier;  
(Representing the total award minus \$4,000 of EMS' portion of punitive damages plus post-judgment interest through April 20, 2010 of \$6,248.74)

**\$29,594.66** payable to Ashley Houghton;  
(Representing the total award minus \$4,000 of EMS' portion of punitive damages plus post-judgment interest through April 20, 2010 of \$4,594.66)

**\$24,267.62** payable to Kyley O'Brien;  
(Representing the total award minus \$4,000 of EMS' portion of punitive damages plus post-judgment interest through April 20, 2010 of \$3,767.62)

**\$24,267.62** payable to Meghann Powell;  
(Representing the total award minus \$4,000 of EMS' portion of punitive damages plus post-judgment interest through April 20, 2010 of \$3,767.62)

**\$54,454.17** payable to Anna Stevenson;  
(Representing the total award minus \$4,000 of EMS' portion of punitive damages plus post-judgment interest through April 20, 2010 of \$8,454.17)

**\$54,454.17** payable to Jennifer Zazzaro.  
(Representing the total award minus \$4,000 of EMS' portion of punitive damages plus post-judgment interest through April 20, 2010 of \$8,454.17)

Failure to comply with payment of these demands will result in Plaintiff immediately taking all necessary steps to fully satisfy the Judgment, including invoking the discovery process to identify assets to be garnished and attached.

Dated: April 6, 2010  
New York, New York

By: s/ Robert D. Rose  
Robert D. Rose, Supervisory Trial Attorney  
EEOC New York District Office  
33 Whitehall Street, 5th floor  
New York, NY 10004  
212.336.3708 (phone)  
212.336.3634 (fax)  
[robert.rose@eeoc.gov](mailto:robert.rose@eeoc.gov)

### Certificate of Service

I hereby certify that on April 6, 2010, a true and correct copy of Plaintiff's Demand for Satisfaction of Judgment to Defendant Everdry Management & Marketing, Inc. was electronically filed with the Clerk of the District Court using its CM/ECF system, which would then electronically notify the following CM/ECF participants on this case:

Harold M. Schwarz  
[hschwarz@jbandr.com](mailto:hschwarz@jbandr.com)

Kenneth B. Baker  
[kbaker@jbandr.com](mailto:kbaker@jbandr.com)

Javitch, Block, Eisen & Rathbone  
1100 Superior Avenue, 19th Floor  
Cleveland, Ohio 44114  
*Attorney for Defendant, EverDry Marketing and Management, Inc.*

Sanford R. Shapiro  
[getshapiro@aol.com](mailto:getshapiro@aol.com)

Boylan, Brown, Code, Vigdor & Wilson, LLP  
2400 Chase Square  
Rochester, New York 14604  
*Attorney for Defendant, EverDry Management Services, Inc.*

Dated: April 6, 2010  
New York, New York

By: s/ Robert D. Rose  
Robert D. Rose  
Supervisory Trial Attorney  
Equal Employment Opportunity Comm'n  
New York District Office  
33 Whitehall Street, 5th floor  
New York, NY 10004  
212.336.3708 (phone)  
212.336.3634 (fax)  
[robert.rose@eeoc.gov](mailto:robert.rose@eeoc.gov)